

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 3-16, 18-22 and 24-37 are pending in the present application. Claim 23 has been canceled and claims 3-10, 12, 15, 21, 24, 27, 29, 31, 33 and 35 have been amended by the present Amendment.

In the outstanding Office Action, claim 12 was objected to; claims 3-5, 8-16, 18-26, 28, 30 and 32-37 were rejected under 35 U.S.C. § 103(a) as unpatentable over Felix in view of Applicant Admitted Prior Art (AAPA) and Gilhousen; claims 6, 27, 29 and 31 were rejected under 35 U.S.C. § 103(a) as unpatentable over Felix in view of AAPA, Gilhousen and Kamachi; and claim 7 was rejected under 35 U.S.C. § 103(a) as unpatentable over Felix in view of AAPA, Gilhousen and Czaja.

Regarding the objection to claim 12, this feature has been removed from claim 12. Accordingly, it is respectfully requested this objection be withdrawn.

Claims 3-5, 8-16, 18-26, 28, 30 and 32-37 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Felix in view of AAPA and Gilhousen. This rejection is respectfully traversed.

Amended independent claim 10 is directed to a method for controlling call access of a terminal in a communication system. The method includes broadcasting from a base station a call access control signal including interference information of a reverse link and state information of at least one or more code classes in which Walsh codes assigned to 32 mobile stations from the base station are classified depending on transmission rate, to a

plurality of mobile stations in its cell or sector on a paging channel or broadcast channel. Further, the call access control signal is broadcast independently from an uplink access channel request, and a corresponding mobile station of the plurality of mobile stations uses the call access control signal to determine which code class to use when performing an uplink call access to uplink data from the corresponding mobile terminal to the base station. Independent claims 12, 15, 21, 24 and 33 include similar features in a varying scope.

In a non-limiting example, Figure 2 illustrates system information transmitted by a base station to all of the mobile terminals under its control. The system information includes a link busy/idle field 10 and a code class busy/idle field 20 (see page 8, lines 6-11). Note that this information transmitted by the base station 2 to all of the mobile terminals is transmitted independently from an uplink access channel request. That is, an uplink channel request is performed by a mobile terminal when the mobile terminal is going to send information from the mobile terminal to the base station. According to the present invention, the base station independently transfers the information shown in Figure 2, for example, to the mobile terminals. Thus, the mobile terminals may use this independently transferred information prior to performing an uplink call access with the base station. That is, a call access requested by each mobile terminal can be efficiently controlled so as to restrict unnecessary interference signals from being generated in the overall reverse link, thereby improving efficiency of the given radio communications channel (see page 12, line 26 to page 13, line 6).

The Office Action indicates Felix teaches broadcasting a call access signal prior to receipt of an access channel request and cites column 3, lines 45-47, column 3, lines 56-61 and column 3, lines 65-column 4, line 3). However, regarding column 3, lines 45-47, this

section is only referring to time periods where the remote unit 113 is not actively communicating to the base station 100, but is rather monitoring a fundamental or supplemental channel waiting for notification of any pending transmission by the base station. If there is a notification from the base station, the notification is regarding downlink transmission from the base station to the mobile terminal. This section does not teach the base station broadcasting a call access control signal independently from an uplink access channel request. Further, column 3, lines 56-61 and column 3 also only relates to the base station transmitting information to the mobile station (downlink transmission). This section has nothing to do with an uplink access request.

In addition, in column 4, lines 3-7, Felix discusses the base station 100 notifying the remote unit 113 of spreading codes (Walsh codes) utilized by the fundamental and supplemental channels for downlink transmission, and an assigned data rate of the supplemental channel. Note that the base station 100 is transmitting to a specific remote unit 113 (not to all of the remote units 113). Thus, in Felix et al., after the base station determines that data is to be transmitted from the base station 100 (i.e., downlink transmission) to a specific remote unit 113, the base station 100 notifies the remote unit 113 of the spreading codes utilized by the fundamental and supplemental channels and the assigned data rate of the supplemental channel. The information is then transferred using these Walsh codes from the base station 100 to the specific remote unit 113. The information transmitted by the base station 100 is not used by the remote station 113 to determine which code class to use when performing an uplink call access to uplink data from

the corresponding mobile terminal to the base station. Rather, the sections cited by the Office Action relate only to the downlink transmission of information.

This differs from the present invention in which the information shown in a non-limiting example of Figure 2, for example, is transmitted to all of the mobile terminals such that the mobile terminals may use this information to determine which code class to use when performing an uplink call access. Uplink transmission in Felix et al. is discussed in column 4, beginning at line 29. Here, it is specifically stated that the remote unit 113 determines that a high data rate transmission to base station 100 needs to take place and request a supplemental channel by sending a packet service request (call access request) to the base station 100 utilizing the access channel (see column 4, lines 38-40). As noted herein, Felix uses a uplink access channel request to request an uplink transmission. The uplink access request in Felix does not use a call access control signal including interference information and state information on code classes transmitted by the base station. AAPA and Gilhousen also do not teach or suggest these features.

Accordingly, the respectfully submitted independent claims 10, 12, 15, 21, 24 and 33 and the claims depending therefrom patently define are allowable.

Further, it is respectfully submitted the additional rejections in the outstanding Office Action have also been overcome as the references cited therein also do not teach or suggest the claimed features.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David A. Bilodeau**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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